ATTACHMENT A

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In Application Serial No. 10/949,136
Filed September 7,2001

DECLARATION OF ANDREW FERLITSCH UNDER 37 CFR §1.132

I, Andrew Ferlitsch, Master of Computer Science, OSU, 1987, hereby declare as follows:

1. My residence address is 14518 SW Crest Ridge Court, Tigard, OR 97224.

2. Since 1999 I have been employed by Sharp Laboratories of America, Inc. ("SLA"), 5700 Pacific Rim Blvd., Camas, WA 98607. My title is Principal Engineer. My responsibilities include Project Management, Product Development, Research, and Intellectual Property generation.

3. I have read the claims for the patent application in question, invented by Sridhar Dathathraya, Serial Number 09/978,488 (the Applicant). I have read the relevant parts of the Office Action dated September 20, 2004, where claims 2-9 and 11-17 have been rejected as obvious with respect to US Patent 6,038,541 (Tokuda), US Patent 6,775,729 (Matsuo), and a SAMS booklet concerning JavaScript. In summary, it is my opinion that the cited references, even if combination, do not make the invention of claims 2-9 and 11-17 obvious.

4. In claims 1, 9, 10, and 17, and as shown in Figs. 1 and 2, the Applicant describes a method for establishing a set of document processing scripts. This permits a user to pre-establish some processes. Then, a document can be processed by simply entering the document into a

folder. That is, the user need not generate a new script every time they process a document. Generally, an electronic instance of the document is created at an MFP device. Following this processing, the user has the option of (sorting) sending the document to a specific destination. Further, the association of scripts with particular folders permits the document processes (scripts) to be easily edited by a user.

5. Tokuda describes a workflow server that acts as a sorter. Documents of various types, including imaging documents, are input to the server. If the document type/workflow destination is known, the document is auto-routed to the workflow destination. If the destination is not known, the document is examined (sorted), and the document is sent to the best-guess workflow destination. A user operator at the workflow destination has the option of either accepting or rejecting the document.

More specifically, a document is initially sorted into a document category, and then assigned to a business center. Thus, multimedia documents are assigned to unit 114, and image-processing documents are assigned to image processing unit 116. Units 112 through 116 can be servers connected to the base (sorting) server 100. In Fig. 2, Tokuda describes how a user enters 2 documents into the system; a settlement document and an order form. The 2 documents are processed along different workflow paths.

6. In my opinion, it is well known to process different kinds of documents along different workflow paths. Tokuda's apparent point of novelty is in the ability to accept a collection of different document types, and direct the documents along specific workflow paths, once the document has been classified. Therefore, Tokuda is quite different from the claimed invention. The claimed invention does not perform any analysis based upon content. The sorting of documents (Tokuda) should not be confused with the

establishment of folder with job processing scripts, and the claimed inventions' ability to direct jobs to one, or more folders. Any sorting operations associated with the Applicant's invention are performed downstream (after) processing.

7. Matsuo describes the operation of a multifunctional peripheral (MFP) with a variety of processing engines associated with scanning, printing, copying, and fax operations. Matsuo's novelty appears to be that the MFP's controller can continue an engine process, even in the event of a job interrupt from the information-processing device (host computer).

8. The Matsuo reference is apparently added to introduce MFP processing functions, as some of these same functions are mentioned in claims 2 and 11. Matsuo, other than mentioning MFP processes (i.e., printing or scanning), appears to have little relevance to the Tokuda reference. The Matsuo document processes are conventional and they suggest no modifications to document sorting or workflow processes.

9. The SAMS reference purports to be an explanation of JavaScript. Again, other than the fact that some of the Applicant's dependent claims (now cancelled) mention JAVA, I so not see any relevance to the Tokuda reference. The use JavaScript does not suggest any modifications to Tokuda's document sorting method.

10. The key issue that I have been asked to consider is whether the combination of Tokuda, Matsuo, and SAMS makes the claimed invention obvious. To answer this question I have been asked to consider, had I been given the Tokuda, Matsuo, and SAMS references in October of 2001, if I would have found a suggestion to invent the systems described in the Applicant's claims 1, 9, 10, and 17. I have looked at the three references

in such a light, and I do not see a combination that suggests the claimed invention.

I have mentioned above, that I do not see a suggestion that the three references be combined. However, assuming for the sake of argument that there is a suggestion to combine references, I still do not see a combination that yields the claimed invention. Tokuda describes parallel workflow paths, but he does not describe a method that directs a document along different workflow paths by assigning the document to a folder. Rather, Tokuda sends documents along different paths after a content-analysis classification step. Matsuo's MFP processing engines and job interrupt controller, even when added to Tokuda, do not describe the claimed invention's selection of job processing script folders. Neither does the addition of JavaScript to Tokuda and Matsuo, suggest a combination that yields job processing script folders.

11. In summary, I do think it likely that one skilled in the art would be motivated to combine three such divergent references. Further, even if combined, there is no suggestion in the combination that suggests the inventions of claims 1, 9, 10, or 17. Therefore, claims 2-7 and 11-15, dependent from the above-mentioned independent claims, cannot be obvious.

12. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

10/20/2004 Andrew Ferlitsch

Date Andrew Ferlitsch